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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,332	12/16/2005	Young June Cho	406-0003	5981
60803 7590 01/10/2008 SHERR & NOURSE, PLLC 620 HERNDON PARKWAY SUITE 200 HERNDON, VA 20170			EXAMINER AL HASHIMI, SARAH	
			ART UNIT 2853	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/561,332

Applicant(s)

CHO ET AL.

Examiner

Sarah Al-Hashimi

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 1-3,4&6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Murai (US 2002/0008743) in view of Hashizume (US 6,089,701) and Ito (US 2002/0036678).

Murai teaches:

Claim 1: a) an actuator portion being composed of upper and lower electrodes, a piezoelectric plate inserted between the upper and lower electrodes, and a resilient plate disposed beneath the lower electrode (fig 1 #44 upper electrode, #43 piezoelectric plate, #42 lower electrode, #32 resilient plate); b) an ink passage portion composed of a spacer disposed beneath the resilient plate and forming a side portion of a chamber (fig 1 #22).

Claim 2: a tapered portion is formed at the upper part the nozzle such that the cross section of the chamber varies from the chamber to the starting point of the nozzle (fig 3 #11).

Claim 4: the resilient plate is formed of ZrO.sub.2 (fig 1 #32).

Claim 6: the resilient plate is formed of Al.sub.2O.sub.3 (para 66 "aluminum oxide film").

Murai does not teach:

Claim 1: a protection layer placed on the upper electrode, a channel plate disposed beneath the spacer, the channel plate forming an ink passage in one side of the chamber and simultaneously expanding the chamber, and a nozzle plate disposed beneath the channel plate, the nozzle plate forming the lower side of the chamber and having a nozzle communicating with the chamber; and c) an ink-supplying portion formed by a through-hole reaching the ink passage of the channel plate through the actuator portion and the spacer.

Claim 3: the ink jet printer head is provided with an ink container above the protection layer, wherein a plurality of ink jet head modules are arrayed on a same plane in a matrix fashion, each module being composed of the actuator portion, the ink passage portion and the ink-supplying portion, and wherein ink is supplied to the chamber of each ink jet head module from the ink container through each through-hole and ink passage.

Hashizume teaches:

Claim 1: a protection layer placed on the upper electrode (fig 2a #13a).

Ito teaches:

Claim 1: a channel plate disposed beneath the spacer, the channel plate forming an ink passage in one side of the chamber and simultaneously expanding the chamber, and a nozzle plate disposed beneath the channel plate, the nozzle plate forming the lower side of the chamber and having a nozzle communicating with the chamber (fig 4 #11 channel plate, #10 nozzle plate, #16 chamber); and c) an ink-supplying portion formed

by a through-hole reaching the ink passage of the channel plate through the actuator portion and the spacer (fig 4 #17).

Claim 3: the ink jet printer head is provided with an ink container above the protection layer, wherein a plurality of ink jet head modules are arrayed on a same plane in a matrix fashion, each module being composed of the actuator portion, the ink passage portion and the ink-supplying portion, and wherein ink is supplied to the chamber of each ink jet head module from the ink container through each through-hole and ink passage (para 111 "at one side of the head holder 1, ink supply passages 4a, 4b, 4c, 4d, each connectable to an ink outlet of each of the ink cartridges 61, are formed through the underside of a bottom plate 5 of the head holder 1. A rubber packing 47 is disposed in each of the ink supply passages 4a, 4b, 4d, 4d so as to seal the corresponding ink supply hole 19a.").

Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Murai to incorporate a protection layer placed on the upper electrode as taught by Hashizume, a channel plate disposed beneath the spacer, the channel plate forming an ink passage in one side of the chamber and simultaneously expanding the chamber, and a nozzle plate disposed beneath the channel plate, the nozzle plate forming the lower side of the chamber and having a nozzle communicating with the chamber; and c) an ink-supplying portion formed by a through-hole reaching the ink passage of the channel plate through the actuator portion and the spacer as taught by Ito in order to protect the nozzles from external damage or

contamination by using a protective layer and intricate layering in assembling the printhead.

3. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Murai (US 2002/0008743) in view of Hashizume (US 6,089,701) and Ito (US 2002/0036678) as applied to claim 1 or 2 above, and further in view of Nishi (US 2003/0011660).

Murai in view of **Hashizume** and **Ito** does not teach but **Nishi** teaches:

Claim 5: the resilient plate is formed of BaTiO₃ (para 137 "the ceramic plate can also be formed using BaTiO₃").

Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Murai in view of Hashizume and Ito to incorporate the resilient plate is formed of BaTiO₃ as taught by Nishi because it is well known in the art to use BaTiO₃ in forming a piezoelectric printhead.

Response to Arguments

4. Applicant's arguments filed 10/26/2007 have been fully considered but they are not persuasive. Ito does teach "an ink supplying portion formed by a through-hole reaching the ink passage of the channel plate through the actuator portion and the spacer". The claim wording indicates the actuator and spacer serve to enable the ink supplying portion to supply ink to the nozzles (which are ink passages). This is how this claim is being interpreted. Applicant would further clarify this claim had he used the wording in the arguments made 10/26/2007 "a through hole *through* an actuator". All rejections stand.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Al-Hashimi whose telephone number is 571 272 7159. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272 2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SA/


AN H. DO
PRIMARY EXAMINER
01/07/2008